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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91219765
Party	Defendant PrimeClerk, LLC
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Date	03/30/2015
Attachments	PRIME CLERK Motion to Amend.pdf(294612 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 86/002,242
Filed: July 3, 2013
For Mark: PRIME CLERK
Published in the Official Gazette: June 17, 2014

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PRIMEPAY LLC,	Opposer,
v.	
PRIME CLERK LLC,	Applicant.
-----X	

Opposition No. 91219765

Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

**MOTION ON CONSENT TO AMEND APPLICATION AND,
IF ACCEPTED, TO WITHDRAW THE OPPOSITION ON CONSENT AND MOTION
TO SUSPEND**

Pursuant to Rule 2.133 of the Trademark Rules of Practice, Applicant respectfully requests that the above-captioned application be amended with the following amendments to the description of services indicated in bold and underline:

BUSINESS ASSISTANCE, ADVISORY AND CONSULTING **SERVICES, ALL OF THE FOREGOING** SERVICES RELATED TO ORGANIZING, PREPARING, PROCESSING AND ANALYZING CLAIMS, PLEADINGS, AND OTHER PAPERWORK IN THE FIELDS OF BANKRUPTCY, FINANCIAL INSOLVENCY AND DEBT RESTRUCTURING, LAW, AND FIDUCIARY SERVICES; BUSINESS CONSULTING AND INFORMATION SERVICES **IN THE FIELDS OF BANKRUPTCY, FINANCIAL INSOLVENCY AND DEBT RESTRUCTURING, LAW, AND FIDUCIARY SERVICES**; PROVIDING BUSINESS ADMINISTRATION SUPPORT RELATED TO BANKRUPTCY, FINANCIAL INSOLVENCY AND DEBT RESTRUCTURING, LAW, AND FIDUCIARY SERVICES INDUSTRIES; PROVIDING AN ON-LINE SEARCHABLE DATABASE

IN THE ~~FIELD OF BUSINESS INFORMATION FIELDS OF BANKRUPTCY,~~
~~FINANCIAL INSOLVENCY AND DEBT RESTRUCTURING, LAW, AND~~
~~FIDUCIARY SERVICES~~; COLLECTING, COMPILING AND SYSTEMATIZING
INFORMATION ~~IN THE FIELDS OF BANKRUPTCY, FINANCIAL~~
~~INSOLVENCY AND DEBT RESTRUCTURING, LAW, AND FIDUCIARY~~
~~SERVICES~~ INTO COMPUTER DATABASES AND DATABASE MANAGEMENT
OF SAME; PREPARING FINANCIAL REPORTS FOR OTHERS, NAMELY,
PREPARING SCHEDULES AND STATEMENTS FOR OTHERS IN THE FIELDS OF
BANKRUPTCY, FINANCIAL INSOLVENCY AND DEBT RESTRUCTURING,
LAW, AND FIDUCIARY SERVICES; LITIGATION SUPPORT SERVICES IN THE
NATURE OF LEGAL DOCKET MANAGEMENT SERVICES FOR OTHERS IN THE
BANKRUPTCY, INSOLVENCY AND RESTRUCTURING, LAW, AND FIDUCIARY
SERVICES INDUSTRIES, in International Class 35

PROVIDING TEMPORARY USE OF ONLINE, NON-DOWNLOADABLE
SOFTWARE THAT ENABLES USERS TO SEARCH, ORGANIZE, SUBMIT AND
PROCESS CLAIMS, PLEADINGS, AND DOCUMENTS, IN CASES OF
BANKRUPTCY, INSOLVENCY, FINANCIAL RESTRUCTURING AND
FIDUCIARY SERVICES; NONE OF THE FOREGOING SERVICES RELATING
TO THE DIRECT PROVISION OF TAX PAYROLL ADMINISTRATION AND
TAX PREPARATION SERVICES, in International Class 42

PROVIDING AN ON-LINE SEARCHABLE DATABASE IN THE FIELD OF
BANKRUPTCY; NONE OF THE FOREGOING SERVICES RELATING TO THE
DIRECT PROVISION OF TAX PAYROLL ADMINISTRATION AND TAX
PREPARATION SERVICES, in International Class 45

It is respectfully submitted that these amendments do not require republication as the
amendments of the description of services narrow rather than broaden the scope of the
application.

These amendments are made pursuant to an Agreement between Applicant and Opposer,
who has consented to these amendments.

Moreover, Applicant notes that in its application, it inadvertently identified itself as
PrimeClerk, LLC and respectfully requests that that its name be amended in the record to Prime
Clerk LLC, which is and always has been Applicant's true and correct name.

If all the amendments are approved before the Board, Opposer, with Applicant's consent requests that the opposition be withdrawn. The parties further request that the opposition proceeding be suspended pending disposition of this motion.

CONCLUSION

Applicant respectfully requests that this request to amend the application be granted in its entirety.

Dated: March 27, 2015

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Applicant

By: 

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CONSENTED TO:

LADAS & PARRY
Attorneys for Opposer

By: 

Mark Lebow, Esq.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on March 30, 2015, I caused a true and correct copy of the foregoing Motion to Amend Application and, if Accepted, to Withdraw the Opposition on Consent be sent via First Class Mail, postage prepaid, to Opposer's Attorney of Record, Mark Lebow, Esq., 1727 King Street, Suite 105, Alexandria, VA 22314.

/Maya L. Tarr/
Maya L. Tarr